

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

| | | |
|----------------------------------|---|-------------------------------|
| TINOCO, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| vs. |) | Case No. 2014 CV 3079 |
| |) | |
| ACAR DURDAGI d/b/a ACAR DISCOUNT |) | Magistrate Judge Young B. Kim |
| MUFFLER AND BRAKE, |) | |
| |) | |
| Defendant. |) | |

MOTION TO SET TRIAL

The plaintiff moves this Court to set the captioned case for trial. In support, the plaintiff states that, on June 23, 2015, this Court filed an order that said the matter would be set for trial if the defendant failed to timely file a motion for summary judgment (by July 24, 2015). The text of the entire order is set forth below:

MINUTE entry before the Honorable Young B. Kim: Status hearing held by phone. Neither side is offering any expert opinions. All discovery is now closed. Defendants reported that they plan to move for summary judgment. Defendants have until July 24, 2015, to file their motion for summary judgment. Plaintiff has until August 24, 2015, to file a response and Defendants then have until September 7, 2015, to file a reply thereto. The court will rule on the motion electronically. **If Defendants fail to timely file their motion for summary judgment, the court will issue a follow-up order setting the matter down for trial.** Mailed notice (ma,)

(emphasis added).

As of this writing on August 13, 2015, the defendant has not filed a motion for summary judgment.

WHEREFORE, the plaintiff prays that this Court will set the captioned case for trial and grant such further relief as may be fair in the premises.

Respectfully submitted,

/s/Paul Luka

One of the Plaintiff's Attorneys

Paul Luka, Esq.
LAW OFFICE OF PAUL LUKA, P.C.
120 S. State Street · Suite 400
Chicago, IL 60603
(312) 971-7309